

REMARKS

The specification has been amended in view of the examiner's objections in point 1 on page 2 of the Office Action.

The section headings referred to in 37 CFR 1.77(c) are not mandatory and accordingly there is no basis for requiring that headings be included in the specification. Nevertheless, applicant has added headings to the specification.

Claims 8-14 stand rejected under 35 USC 102 over Mori. Applicant respectfully traverses. Claim 8 requires a first part in connection with the inlet opening and at least one third part (in addition to the first part), the volume of the third part being dependent on the mutual positions of the piston means and the body part. The examiner reads these limitations of claim 8 on Mori by identifying a first part in connection with the inlet opening (361) and at least one third part including channel 311. It appears from the examiner's explanation that the third part, as read on Mori, is the same as the first part. Applicant submits that this interpretation must be improper since the examiner may not use one feature of Mori to satisfy two limitations of the claim. Moreover, to the extent that the channel 311 is considered to be the counterpart of the third part, the third part is not delimited or bounded by the body part of the valve as required by claim 8. Applicant therefore submits that claim 8 is not anticipated by Mori and it follows that the dependent claims 9-14 also are not anticipated.

Claim 9 distinguishes over Mori independently of claim 8. The fuel passage 61 formed in the cylindrical body 6 is of uniform cylindrical configuration and the fuel passage 61 and piston 30 do not together form at least two separate sliding surfaces at different distances from the central axis of the piston and fuel passage.

Based on the arguments presented so far by the examiner, claim 10 distinguishes over Mori independently of claim 8. Claim 10 requires that when the piston means retracts away from the end adjacent the inlet opening beyond a certain distance, the third part and the first part of the space are combined. Since the examiner has not clearly identified a third part that is distinct from the first part, one cannot identify a point at which the third part and the first part are combined.

Claims 11 and 12 also distinguish over Mori independently of claim 8. With respect to claim 11, since the examiner has not identified a third part that is distinct from the first part of the space, it is not possible to assert that the third part is in continuous flow connection with the fuel inlet opening and/or the first part of the space. With respect to claim 12, which has been amended to be dependent on claim 11, applicant submits that under no reasonable interpretation does Mori disclose that a flow connection between the third part of the space and the fuel inlet opening and/or first part of the space is achieved by means of a throttling channel or the like.

Applicant further submits that claim 13 distinguishes over Mori independently of claim 8. The comments above regarding claim 9 are sufficient to support this position.

Applicant has added new claims 15-23. The new claim 15 is similar to claim 8 but does not include the requirement that the volume of the third part is dependent on the mutual positions of the piston means and the body part. However, claim 15 requires that the third part be in throttled communication with the first part for controlling equalization of pressure between the second part and the third part. Support for this limitation is found at page 7, lines 12-15 of the specification.

Claim 15 specifies that the piston is formed with a passage for providing a flow connection between the fuel inlet opening and the fuel outlet opening and states in addition that the third part of the interior space is in throttled communication with the second part for controlling equalization of pressure between the second and third parts. Mori discloses an aperture 33 that provides a flow connection between the fuel inlet 361 and the fuel outlet 68, but the same element cannot properly be regarded as the required throttled communication between a third part of the interior space and the second part of the interior space. In view of the foregoing, applicant submits that the invention as defined in the new claim 15 is

not disclosed or suggested by Mori. Therefore, claim 15 is patentable and it follows that the dependent claims also are patentable.

Respectfully submitted,



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